

## **REMARKS**

Claims 1 and 17 have been canceled and new Claims 18 and 19 have been added. Support for the subject matter of Claims 18 and 19 can be found in the specification at least in original Claim 2 and at pages 47-48.

Applicants gratefully acknowledge the allowance of Claims 7-9 and the indication that Claims 3, 10 -14 and 16 would be allowable if rewritten in independent form (page 4, numbered paragraph 5 of the Official Action). By the above amendments, Claims 10, 12, 13 and 16 have been rewritten in independent form. In addition, Claim 11 has been amended to depend from Claim 10 and Claims 4-6 have been amended to depend from Claim 16. Claim 15 depends from Claim 4. Accordingly, it is respectfully submitted that Claims 4-6, 10-13, 15 and 16 are also allowable. Claims 3 and 14 have been amended to depend from newly added Claim 18 which is discussed below.

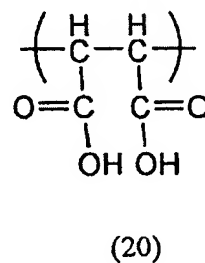
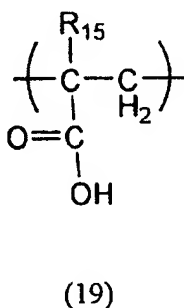
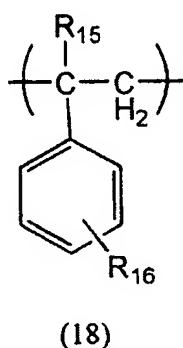
Claims 1, 2, 4-6, 15 and 17 have been rejected under 35 U.S.C. §102(b) as allegedly being unpatentable over JP 09-236923 to Nakano et al. (hereinafter referred to as "Nakano"). This rejection is respectfully traversed.

Claim 1 and 17 have been canceled. Claim 2 has been amended to depend from Claim 19 which is discussed below. Claims 4-6 and 15 now depend either directly or indirectly from Claim 16 which was indicated to be allowable. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

Claim 18 has been added. Claim 18 is directed to a positive tone radiation-sensitive resin composition comprising a photoacid generator comprising at least one compound selected from the group consisting of onium salt compounds, sulfone compounds, sulfonimide compounds, diazomethane compounds, disulfonylmethane

compounds, and oximesulfonate compounds. The Official Action has pointed to no teaching or suggestion in Nakano or any other cited reference of a composition as set forth in Claim 18. Accordingly, it is respectfully submitted that Claim 18 is also allowable. Claims 3 and 14 depend from Claim 18. These claims have already been indicated as containing allowable subject matter.

Claim 19 has also been added. Claim 19 is directed to a positive tone radiation-sensitive resin composition comprising an alkali-soluble resin and an alkali solubility controller wherein the alkali soluble resin is an addition polymerization resin comprising one or more recurring units of the following formulae (18) to (20),



wherein R<sub>15</sub> represents a hydrogen atom or a methyl group, R<sub>16</sub> represents a hydroxyl group, a carboxyl group, -R<sub>17</sub>COOH, -OR<sub>17</sub>COOH, OCOR<sub>17</sub>COOH, or -COOR<sub>17</sub>COOH, wherein R<sub>17</sub> is a group -(CH<sub>2</sub>)<sub>g</sub>- wherein g is an integer of 1 to 4. The Official Action has pointed to no teaching or suggestion in Nakano or any other cited reference of a composition as set forth in Claim 19. Accordingly, it is respectfully submitted that Claim 19 is also allowable.

**CONCLUSION**

In view of the above amendments and remarks, a Notice of Allowance is respectfully requested. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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